

CY MITCHELL, individually on behalf of
himself and all others similarly situated,

Plaintiff,

v.

POLARIS INDUSTRIES INC., a Delaware
corporation; POLARIS SALES INC., a
Minnesota corporation; POLARIS INC. (f/k/a
POLARIS INDUSTRIES INC.), a Minnesota
corporation; and DOES 1 through 10, inclusive,

Defendants.

**STIPULATION OF DISMISSAL
WITH PREJUDICE PURSUANT
TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

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1 WHEREAS, Plaintiff's claims allege that plaintiff purchased a Polaris RZR model vehicle
2 with a label on the vehicle's rollover protective structure ("ROPS") stating that the ROPS meets
3 OSHA requirements of 29 C.F.R. § 1928.53;

4 WHEREAS, Plaintiff's claims relate to his purchase of a 2019 Polaris RZR Turbo S,
5 which did not have a label stating that the vehicle's ROPS meets OSHA requirements of 29 C.F.R.
6 § 1928.53; and
7

8 WHEREAS, Plaintiff wishes to voluntarily dismiss his claims in exchange for a waiver of
9 costs relating to those claims from Polaris;

10 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through
11 their respective counsel of record, that Plaintiff's claims against Polaris are hereby voluntarily
12 dismissed with prejudice, with each side to bear its own costs.
13

14 DATED: October 14, 2022

/s/ R. Allan Pixton (with permission)
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*Attorneys for Defendants Polaris Industries Inc.,
Polaris Sales Inc., and Polaris Inc. (f/k/a Polaris
Industries Inc.)*

1 DATED: October 14, 2022

/s/ John P. Kristensen

John P. Kristensen (*Pro Hac Vice*)

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Attorney for Plaintiffs

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7 **ORDER**

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, based on the parties'
9 stipulation above, that plaintiff's claims against Polaris are hereby voluntarily dismissed with
10 prejudice, with each side to bear its own costs.

11 IT IS SO ORDERED:

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14 Anne R. Traum, UNITED STATES DISTRICT JUDGE

15 DATED: October 17, 2022

16 CASE NO. 2:22-cv-00457-ART-EJY